



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: ISOMURSU et al.

SERIAL NO.: 09/183,343

ART UNIT: 2744

FILED: 10/30/98

EXAMINER: Gelin, J.

TITLE: COMMUNICATION NETWORK TERMINAL SUPPORTING A  
PLURALITY OF APPLICATIONS

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MAR 14 2001  
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ATTORNEY DOCKET NO.: 442-007078-US (CO4)

The Commissioner of Patents and Trademarks  
Washington, D.C. 20231

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OFFICE OF PETITIONS

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT UNDER 37

C.F.R. 1.181 AND MPEP 711.02 and 711.03(c)

Sir:

This is in response to the Notice of Abandonment mailed 1/3/01 (Paper No. 11), for the above-identified patent application. The applicants petition for the withdrawal of the holding of abandonment and the issuance of a new Office letter on the merits for the above-identified patent application.

The Notice of Abandonment indicated that the subject patent application was held abandoned for failure to file a proper response to the Office letter mailed on 6/16/00. The Notice

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of Abandonment further noted the no response was received in the USPTO to the aforesaid Office letter.

The Applicants herein petition for the withdrawal of this holding of abandonment and request the issuance of a new Office letter setting a new time period to respond thereto. This petition is requested under MPEP 711.02 and 711.03(c), and the District Court, District of Columbia's decision in Delgar, Inc. v. Schuyler, 172 USPQ 513 (D.D.C. 1971) because the Office letter that is said was mailed 6/16/00 in the subject application was not received by the Applicants.

As specified under MPEP 711.02 and 711.03(c), a Declaration by the undersigned, and Exhibits A-H in support of this petition are attached herewith.

MPEP 711.03(c) specifies that a petition to withdraw holding of abandonment based on failure to receive Office action must include: (1) a statement by the practitioner that the Office action was not received by the practitioner; (2) a statement attesting that a search of the file jacket and docket records indicates that the Office action was not received; and (3) a copy of the docket record where the non-received Office action would have been entered had it been received. The Applicants respectfully submit that the attached Declaration and Exhibits A-H, satisfy these requirements.

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As specified under 37 C.F.R. §§1.182 and 1.17(h), the petition fee of \$ 130.00 is enclosed. Enclosed please find a check for this amount. Please charge Deposit Account 16-1350 for any additional fee required.

Respectfully submitted,

J. M

Janik Marcovici (Reg. No. 42,841)

3/3/01

Date

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PERMAN & GREEN, LLP  
425 Post Road  
Fairfield, CT 06430  
(203) 259-1800  
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Date

J. M  
Name of Person Making Deposit  
JANIK MARCOVICI



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: ISOMURSU et al.

SERIAL NO.: 09/183,343

ART UNIT: 2744

FILED: 10/30/98

EXAMINER: Gelin, J.

TITLE: COMMUNICATION NETWORK TERMINAL SUPPORTING A  
PLURALITY OF APPLICATIONS

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ATTORNEY DOCKET NO.: 442-007078-US (CO4)

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Washington, D.C. 20231

MAR 12 2001

OFFICE OF PETITIONS

SUPPLEMENTAL DECLARATION IN SUPPORT OF RENEWED PETITION TO  
WITHDRAW HOLDING OF ABANDONMENT UNDER MPEP 711.03(a)

Sir:

In support of the attached Petition to Withdraw the Holding of Abandonment, I, Janik Marcovici, registration number 42,841, do hereby declare as follows:

(1) On 1/5/01, the undersigned received at the law firm of Perman & Green, LLP, 425 Post Road, Fairfield, CT 06430, (hereinafter the firm) a Notice of Abandonment (hereafter the Notice) mailed 1/3/01, in the above-referenced patent application. The Notice, a copy of which is attached hereto as Exhibit A, indicates that the above-referenced patent application has gone abandoned in view of a failure to timely file a response to an Office letter that is said was mailed on 6/16/00.

(2) On 12/29/00, the undersigned attorney received, at the firm, a telephone call from Examiner Jean Gelin, in Art Unit 2681 of the USPTO. During this telephone conversation, Examiner Gelin notified the undersigned of the failure to respond to an Office letter that he said was mailed 6/16/00. This telephone call was the first indication the undersigned had, that there had been an Office letter sent by the USPTO in this patent application. The undersigned attorney immediately reviewed his file and his docket record for this patent application. The file has no indication that the Office letter, referred to in the Notice of Abandonment as being mailed on 6/16/00, was received. The undersigned explained to Examiner Gelin that the Office letter was not received, that there is no wish for the application to become abandoned. Examiner Gelin informed the undersigned that a Notice of Abandonment would be issued and that the undersigned may petition to withdraw the Notice of Abandonment.

(3) The firm employs a computerized docketing system to record the receipt of Office letters and other communications from the USPTO that require a response. The computerized docketing system is based on a database program known as MICROSOFT ACCESS. The computerized docketing system was purchased from Computer Packages Annuity Services of Rockville, Maryland. The computerized docketing system runs on a Pentium™ based computer system.

(4) The firm of Perman & Green, LLP has a standard docketing practice for Office communications received at the firm.

(5) On information and belief, as part of the standard docketing practice, our docketing clerk opens each day's

mail. In the case of an Office communication requiring a response, our docketing clerk, in accordance with the firm's standard docketing practice, accesses the appropriate record within the docketing system software and records the receipt of the Office communication and when the response is due. The docketing clerk also manually records the Office communication in a Daily Mail Log. Each record includes at least the Perman & Green, LLP docket number, the patent application serial number, and filing date. A copy of the record from the docketing system software for this application is attached hereto as Exhibit B.

(6) On information and belief, our docketing clerk then gives the Office communication to an assistant docketing clerk who manually fills out a docket form, based on the information found in the Office communication. A blank copy of this docketing form is attached hereto as Exhibit C. The docketing form indicates that the Office communication has been received, and also indicates when the response is due in the USPTO. For a typical Office communication from the USPTO, the form indicates a three month date from the mailing date of the Office communication.

(7) On information and belief, the assistant docketing clerk then gives the manually recorded docketing form to the docketing clerk, who again accesses the docketing system software for each manually recorded docketing form. The docketing clerk verifies the accuracy of the information previously recorded within the software record, based on the information contained within the form. This procedure insures that a received Office communication will be recorded within the computerized docketing system.

(8) On information and belief, the assistant docketing clerk then gives the Office communication to the attorney that is responsible for the corresponding patent application.

(9) On 1/08/01, after the receipt of the Notice of Abandonment, the undersigned attorney requested that our docketing clerk call up the record for this patent application from the computerized docketing system (Exhibit B) so that a search for an indication that the notification of Missing Requirements was received could be made. Specifically, Prosecution History records from the computerized docketing system (page 1 of Exhibit B) were searched for the indication of the notification of Missing Requirements. The record has no indication that the Office communication, referred to in the Notice of Abandonment as being mailed on 6/16/00, was received. The prosecution history record (Exhibit B) indicates that the last Office communication received for this application was mailed 2/4/00. Exhibit D is a copy of the last Office letter received for this application.

(10) On information and belief, our docketing clerk, in accordance with the standard docketing practice, manually records docketable communications in a Daily Mail Log on days when such docketable communications are received by the firm. Our docketing clerk does not create a log sheet in the Daily Mail Log on days when no docketable communications are received by the firm.

(11) Exhibits E1-E30 are copies of the consecutive mail log sheets from the Daily Mail Log maintained by our docketing clerk as part of the standard docketing practice of the firm, for the period running from Friday, 6/2/00, to Monday,

7/31/00. Upon information and belief, Exhibits E1-E30 indicate all Office communications docketed by our docketing clerk following standard docketing procedure between the above mentioned dates. Any docketed Office communication having a mailing date of 6/16/00 or a due date of 9/16/00 would be indicated within Exhibits E1-E30.

(12) Exhibits E1-E30, appended hereto, show that eight Office communications having mailing dates of 6/16/00 were received by the firm. Exhibits F1-F8 are respectively copies of each of the three communications identified in the mail log sheets as having a mailing date of 6/16/00. None of the communications were in reference to the instant patent application having Applicant's Reference No. 442-007078-US(C04). The file jackets for the applications corresponding to the eight communications were searched to verify that the Office letter for the instant case was not mis-filed therein, and the search did not find the aforesaid Office letter in the inspected file jackets.

(13) Exhibit E9, the daily mail log for 6/20/00, shows that an Office letter, having a mailing date of 6/16/00, was received for a patent application having Applicants' reference no. 442-007078-US(C01) (Serial No. 09/183,344). Exhibit F1 is a copy of the aforementioned Office letter. The file jacket for the patent application having Applicants' reference no. 442-007078-US(C01) was searched several times to verify that the Office letter for the instant case was not mis-filed therein, and the search did not find said Office letter in the inspected file jacket. Exhibit G is the prosecution history record for the patent application having Applicants' reference no. 442-007078-US(C01). Exhibit G

confirms what is shown in Exhibit E8, that an Office letter having a mailing date of 6/16/00 was received for the patent application having Applicants' reference no. 442-007078-US(C01).

(14) Upon information and belief, the computerized docket system that the firm employs as part of the standard docketing system used by the firm is updated by our docketing clerk whenever a patent application issues, or is abandoned, to purge the prosecution history of that application from the computerized docket system software in order to reduce memory needs of the system. Exhibit H is a printout of an electronic search performed on 3/2/01, of the computerized docketing system software to find applications for which the firm received an Office communication having a mailing date of 6/16/00. Upon information and belief, a printout of an electronic search performed in 3/2/01, of the computerized docketing system software to find applications for which the firm received an Office communication having a mailing date of 6/16/00 no longer reflects all the applications for which such a communication was at one time docketed in the system, because issued, and abandoned applications have been deleted from the system. For example, the printout does not have the complete prosecution history for any application that subsequently issued or was abandoned before the search of the docketing system was performed.

(15) In summary, the undersigned attorney submits that the abandonment of the above-referenced application was unavoidable for the reason that the Office letter, said to be mailed on 6/16/00, was not, in fact, received at the offices of Perman & Green, LLP. As such, the undersigned attorney

had no knowledge that a response was due in the USPTO. Therefore, the undersigned petitions for the withdrawal of the holding of abandonment and for the issuance of a new Office letter setting a new period to respond thereto.

The undersigned attorney also submits that, as indicated in this Declaration, the firm of Perman & Green, LLP has previously implemented an office procedure that is believed will substantially eliminate the possibility of a patent application becoming abandoned for reason of non-response to an Office communication. However, this procedure requires that an Office communication first be received through the U.S. mail. In this case, after a thorough search of the file jacket, the computerized docketing records, and the daily mail log sheets there is no indication that the Office communication, said to be mailed on 6/16/00, was received through the U.S. mail.

The undersigned attorney also submits that, a showing has been made herein that other mail was received from the USPTO during the period of which the Office communication said to be mailed on 6/16/00 would have been received, and that the other USPTO mail was recorded and processed, during this period, in accordance with the standard office procedures as described.

The Commissioner of Patents and Trademarks is therefore respectfully requested to favorably consider the attached Petition to Withdraw the Holding of Abandonment under MPEP 711.02 and 711.03(c), and the District Court, District of Columbia's decision in Delgar v. Schuyler, 172 USPQ 513 (D.D.C. 1971). The Commissioner of Patents and Trademarks is

further respectfully requested to issue a Office letter setting a new time period to respond thereto.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and believe are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

J. M

Janik Marcovici  
Reg. No.: 42,841

3/3/01

Date

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425 Post Road  
Fairfield, CT 06430  
Customer No. 2512

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J. M

Name of Person Making Deposit

JANIK MARCOVICI

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EXHIBIT A

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

NW

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/183,343	10/30/98	ISOMURSU	P 442-007078-U (CON)

Jm

CLARENCE A GREEN  
PERMAN AND GREEN  
425 POST ROAD  
FAIRFIELD CT 06430

WM01/0103



EXAMINER

REC'D IN

ART UNIT

PAPER NUMBER

2681

DATE MAILED:

01/03/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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<b>Notice of Abandonment</b>	Application No. 09/183,343	Applicant(s) <b>Isomursu et al.</b>
	Examiner Jean A. Gelln	Group Art Unit 2681

This application is abandoned in view of:

- applicant's failure to timely file a proper response to the Office letter mailed on 6/16/00.
- A response (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_, which is after the expiration of the period for response (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
- A proposed response was received on \_\_\_\_\_, but it does not constitute a proper response to the final rejection.  
(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC)).
- No response has been received.
- applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.
- The issue fee (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_.
- The submitted issue fee of \$\_\_\_\_\_ is insufficient. The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_.
- The issue fee has not been received.
- applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
- Proposed new formal drawings (with a Certificate of Mailing or Transmission of \_\_\_\_\_) were received on \_\_\_\_\_.
- The proposed new formal drawings filed \_\_\_\_\_ are not acceptable.
- No proposed new formal drawings have been received.
- the express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on \_\_\_\_\_.
- the letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- the letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- the decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- the reason(s) below:

*In a telephone interview on December 29, 2000, Mr. Marcovici, the Applicant's representative, confirmed that he has not responded to the Office Action mailed on June 16, 2000.*

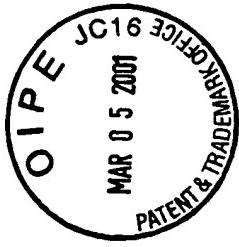


DWAYNE BOST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

3/2/01

Actions Due

Case Number	Custodialy	Sub Case	Application #:	Action Base Date	Response Sent To	Action Type
442-007078	US	C04	09/183,343	30-Oct-1998		Application Status Check
442-007078	US	C04	09/183,343	30-Oct-1998		Foreign Filing
442-007078	US	C04	09/183,343	30-Oct-1998	05-Apr-2000	Information Disclosure Stmtnt
442-007078	US	C04	09/183,343	28-Oct-1998	30-Oct-1998	TBP
442-007078	US	C04	09/183,343	01-Sep-1999	02-Dec-1999	US-3MON. ACTION
442-007078	US	C04	09/183,343	04-Feb-2000	25-Apr-2000	US-3MON. ACTION



**Actions Due**

**3/2/01**

Remarks	Filing Date	Last Update
	30-Oct-1998	14-Sep-1999
	30-Oct-1998	14-Sep-1999
	30-Oct-1998	14-Apr-2000
	30-Oct-1998	10-Nov-1998
	30-Oct-1998	15-Dec-1999
	30-Oct-1998	03-May-2000

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PERMAN AND GREEN LLP



EXHIBIT D

UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

HO  
cc

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/183,343	10/30/98	ISOMURSU	P 442-007078-U cc

JM

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LM02/0204

EXAMINER

GELIN, J

ART UNIT	PAPER NUMBER
2744	7

DATE MAILED:

02/04/00

US ACTION \_\_\_\_\_  
 DUE DATE 5/4/00  
 PAPER DATED 5/4/00  
 OA FINAL \_\_\_\_\_  
 MSG PT DWG. \_\_\_\_\_  
 APPEAL ISSUE FEE \_\_\_\_\_  
 OTHER \_\_\_\_\_

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

US ACTION 5/4/00  
 DUE DATE 5/4/00  
 PAPER DATED 5/4/00  
 OA FINAL \_\_\_\_\_  
 MSG PT DWG. \_\_\_\_\_  
 APPEAL ISSUE FEE \_\_\_\_\_  
 OTHER \_\_\_\_\_

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## Office Action Summary

Application No. 09/183,343	Applicant(s) Isomursu et al.
Examiner Jean A. Gelin	Group Art Unit 2744

Responsive to communication(s) filed on Dec 14, 1999

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

### Disposition of Claim

- Claim(s) 8-23 is/are pending in the application.
- Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- Claim(s) \_\_\_\_\_ is/are allowed.
- Claim(s) 8-23 is/are rejected.
- Claim(s) \_\_\_\_\_ is/are objected to.
- Claims \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- All  Some\*  None of the CERTIFIED copies of the priority documents have been received.
- received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
- received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

- Notice of References Cited, PTO-892
- Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- Interview Summary, PTO-413
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Notice of Informal Patent Application, PTO-152

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-- SEE OFFICE ACTION ON THE FOLLOWING PAGES --

<b>Notice of References Cited</b>			Application No. 09/183,343	Applicant(s) Isomursu et al.		
			Examiner Jean A. Gellin	Group Art Unit 2744	Page 1 of 1	
<b>U.S. PATENT DOCUMENTS</b>						
	DOCUMENT NO.	DATE	NAME		CLASS	SUBCLASS
A	5,864,848	1/1997	Horvitz et al.		707	6
B	5,930,471	12/1996	Milewski et al.		395	200.04
C	5,930,239	1/1997	Turcotte		455	466
D	5,930,700	11/1996	Pepper et al.		455	414
E	5,606,712	3/1995	Hidaka		395	800
F	5,008,854	1/1997	Maeda et al.		345	435
G						
H						
I						
J						
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M						
<b>FOREIGN PATENT DOCUMENTS</b>						
	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
N						
O						
P						
Q						
R						
S						
T						
<b>NON-PATENT DOCUMENTS</b>						
	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)					DATE
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V						
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Art Unit: 2744

## **DETAILED ACTION**

1. This is in response to the applicant's amendment and argument received on December 14, 1999 in which claim 8 has been amended and 20-23 have been added.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turcotte in view of Crane et al. (Crane).

Regarding to claims 8, 15, Turcotte teaches a method of transferring data between a first device and a second device, the second device being remote from the first device, and both the first and second device being one of a mobile station capable of communicating over a mobile communications network, and of a computer capable of being connected to the mobile communication network (i.e., transmitting messages from one mobile unit to another mobile unit via the service center or network, col. 1, lines 25-36, col. 10, lines 40-49), the method comprising: transmitting information from the first device to the second device via at least one mobile communications network (col. 3, lines 20-33, lines 65-67), transmitting a text message including a subject and time of an event (i.e., the appointment for this evening is canceled, col. 7, lines 45-57); receiving said text message at the second device (i.e., mobile station received the R-

Art Unit: 2744

Data which includes an appointment, col. 7, lines 45-65); and storing the subject of the event of said received text message at the time of the event in an electronic calendar of the second device (i.e., the appointment for this evening is canceled, this message typically stores in the mobile for user to read it, col. 7, lines 45-57).

Turcotte does not specifically teaches transmitting a reservation calendar from one user to a second user via a communication network.

However, transmitting a reservation calendar from one user to a second user via a communication network is very well known in the art of communications, as evidenced by Crane. Crane discloses a notepad that receives messages over a network via the briefcase, said messages include requested information, calendar, instructions to make airplane reservation (col. 2, line 54 to col. 3, line 19). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have implemented the technique of Crane with the system of Turcotte in order to receive and send messages, make airline reservation in a manner that is simple and user-friendly format such that the user need not refer to a manual nor memorize an endless list of commands.

“With respect to claims 20, 21, they have limitations similar to those discussed above, and hence are rejected as being anticipated by Turcotte for the same reason given above.”

Regarding to claims 9, 22, Turcotte teaches the steps of allowing the user of the second device to select between confirming and canceling of said received text message, and performing

Art Unit: 2744

the step of storing as a response to a confirmation by the user (col. 7, line 31 to col. 8, line 26, claims 5-7).

Regarding to claim 10, Turcotte teaches the step of sending a confirmation message from the second device to the first device as a response to said confirming of said received text message (col. 8, lines 10-26).

Regarding to claims 11, 16, Crane inherently teaches wherein the step of transmitting and receiving includes transmitting and receiving said calendar reservation in a user message, (col. 5, line 13 to col. 6, line 30)

Regarding to claims 12, 17, Turcotte discloses wherein said user message is one of a short message, a message according to the standardized SMS message, a message according to the standardized R data field message, a message according to the standardized USSD message, a message according to the standardized SOC message, and a message according to a wireless packet radio service (col. 4, lines 4-66).

Regarding to claims 13, 18, Turcotte inherently teaches wherein said user message comprises ASCII characters since the ASCII is the most popular coding system used in small communications device to convert letters and numbers into digital form.

Regarding to claims 14, 19, Turcotte teaches the short message includes an identifier identifying said user message (col. 5, lines 1-55).

Art Unit: 2744

Regarding to claim 23, Turcotte discloses the mobile station comprising a processor for connecting said received calendar reservation with said electronic calendar (i.e., the text message may include an appointment, col. 7, lines 45-55, col. 12, lines 9-15)

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Milewski et al. teaches communications system and method for operation for electronic messaging using structured response objects and virtually mailboxes.

Horvitz et al. teaches goal-driven information interpretation and extraction system.

Maeda et al. teaches packet size data storage apparatus with tablet device for inputting image data.

Hidaka teaches information managing apparatus capable of utilizing related information in different function modes.

Pepper et al. teaches system and method for automatically screening and directing incoming calls.

*Conclusion*

5. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

Art Unit: 2744

(703) 308-6306, (for formal communications intended for entry)

Or:

(703) 308-6296 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner  
should be directed to Jean A. Gelin whose telephone number is (703) 305-4847.

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Group receptionist whose telephone number is (703) 305-3900.

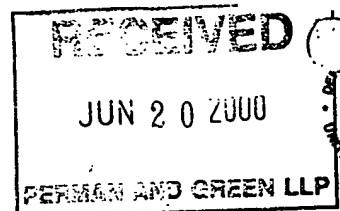
J. Gelin  
February 1, 2000

J.G

*WT*  
William G. Trost  
Primary Examiner

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MAR 12 2001  
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JUN 20 2000

PERMAN AND GREEN LLP

EXHIBIT F1

UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/183,344	10/30/98	ISOMURSU	P 442-007078-U (CO)

JM  
CLARENCE A GREEN  
PERMAN & GREEN  
425 POST ROAD  
FAIRFIELD CT 06430

LM02/0616

EXAMINER

GELIN, J

ART UNIT

PAPER NUMBER

2744

12

US ACTION  
DUE DATE 9-16-00  
PAPER DATED 10-16-00  
OA \_\_\_\_\_  
MSG PT \_\_\_\_\_  
APPEAL \_\_\_\_\_  
OTHER \_\_\_\_\_ DWG. \_\_\_\_\_ ISSUE FEE \_\_\_\_\_

DATE MAILED: 06/16/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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<b>Office Action Summary</b>	Application No. 09/183,344	Applicant(s) Isomursu et al.
	Examiner Jean A. Gelin	Group Art Unit 2744

Responsive to communication(s) filed on May 16, 2000

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle 835 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

#### Disposition of Claim

- Claim(s) 8-28 is/are pending in the application.
- Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- Claim(s) \_\_\_\_\_ is/are allowed.
- Claim(s) 8-28 is/are rejected.
- Claim(s) \_\_\_\_\_ is/are objected to.
- Claims \_\_\_\_\_ are subject to restriction or election requirement.

#### Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- All  Some\*  None of the CERTIFIED copies of the priority documents have been received.
- received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

- Notice of References Cited, PTO-892
- Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- Interview Summary, PTO-413
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2744

### DETAILED ACTION

1. This is in response to the applicant's amendment and argument received on May 16, 2000 in which claims 8-28 are currently present in the application. A terminal disclaimer signed by the applicant representative has been received. Therefore, the double patenting rejection is moot in view of the terminal disclaimer. With respect to the art rejection, Applicant's arguments have been considered but they are not persuasive. The rejection mailed on 2/4/00 remains.

#### *Claim Rejections - 35 U.S.C. § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8-9, 12, 14, and 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vanttila et al. (Vanttila).

Regarding to claims 8, 27, Vanttila teaches a terminal (i.e., mobile terminal 10) for a communication network having means for wireless communication (i.e., transceiver), and menus including menu items (i.e., various menu items) for performing certain commands (col. 4, lines 39-55), wherein the terminal comprises a menu application, said menu application having menu items in the terminal memory according to predetermined commands, the terminal having means for wirelessly receiving commands relating to said menu application via the communication network,

Art Unit: 2744

and said menu application has been arranged in menu items in the terminal in response to receiving said commands (col. 4, lines 40-55, col. 5, line 16 to col. 6, line 4).

Vanttila does not specifically disclose said menu application being capable of creating menu items in the terminal memory according to predetermined commands, and said menu application has been arranged to create menu items in the terminal in response to receiving said commands, the new information added creates new menu.

However, creating menu items in the terminal memory according to predetermined commands, and said menu application has been arranged to create menu items in the terminal in response to receiving said commands is inherently discloses in the system of Vanttila. In Vanttila, the mobile station receives a SMS message (i.e., command) to display menu feature; based on the information element transferred, the mobile station activates the menu feature (col. 5, lines 15-55). Vanttila also discloses updating menu feature to add menu item, e.g., call forwarding (col. 5, line 54 to col. 6, line 12). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention to have updated menu feature in order to enable call forwarding functions which will appear in the display menu; thus, the menu feature (e.g, call forwarding) would be accessible for use by the user of the mobile station.

"With respect to claims 23-24, they have limitations similar to those discussed above, and hence are rejected as being unpatentable over Vanttila et al. for the same reason given above."

Regarding to claim 9, Vanttila teaches means of wirelessly communicating user messages, and means for receiving said commands relating to said menu application in said user message,

Art Unit: 2744

wherein said menu application has been arranged to create said menu items in response to receiving said user message comprising said commands (col. 5, line 50 to col. 6, line 12).

Regarding to claim 12, Vanttila teaches wherein said user message is one of a short message, a message according to the standardized SMS message, a message according to the standardized R data field message, a message according to the standardized USSD message, a message according to the standardized SOC message, and a message according to a wireless packet radio service (col. 5, lines 13-61).

Regarding to claim 14, Vanttila teaches the terminal is a mobile station further comprising means for making and receiving phone calls over a mobile communication network (col. 2, lines 60-66).

Regarding to claim 25, Vanttila teaches wherein said menu item created by the menu application is different than any one of a group of predetermined menu items stored in the terminal memory (col. 5, line 15 to col. 7, line 3).

Regarding to claim 26, Vanttila teaches multiple menu items are created in the terminal in response to receiving said first user message at the terminal (col. 5, lines 16-67).

4. Claims 15, 17, 21, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vanttila et al. (Vanttila) in view of Porter et al.

Regarding to claims 15, 28, Vanttila teaches a terminal allowing scrolling between and selection of menu items (col. 2, lines 30-35, col. 4, lines 9-10), the method comprising: sending a first user message including a first predetermined command from a device (i.e., another terminal)

Art Unit: 2744

to the terminal via the wireless communications network, receiving said first user message at the terminal (col. 2, line 67 to col. 3, line 8) and in response thereto creating in the terminal a menu item in accordance with said first predetermined command, displaying said menu item on a display of the terminal (col. 4, lines 41-51).

Vanttila does not specifically teach a method of creating a menu with at least one menu item in a terminal for a wireless communications network, and allowing selection of the created menu item, and new information added creates new menu.

However, creating a menu with at least one menu item in a terminal for a wireless communications network, and allowing selection of the created menu item, the new information added creates new menu is very well known in the art of communications, as evidenced by Porter. Porter teaches a different menu is created for each application which requests a menu from the menu services and the selection of menu item provided by menu services, the new information added creates new menu (col. 9, lines 38-65). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have implemented the technique of Porter within the system Vanttila in order to simplify active window selection, application activation, and shared command execution in a multi-application within end points, i.e., communication device or computer (col. 12, lines 44-46).

Regarding to claim 17, Vanttila teaches wherein the terminal is a mobile station of a mobile communications network and the device is a server having a connection to the mobile communications network (col. 1, line 66 to col. 2, line 7).

Art Unit: 2744

Regarding to claim 21, Vanttila inherently teaches comprising sending a second user message from the terminal to the device upon selection of the created menu item (col. 1, line 66 to col. 2, line 43).

5. Claims 11, 16, 18-20, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vanttila et al. in view of Sorensen et al..

Regarding to claim 11, Vanttila teaches user message includes an authorization code means for adding menu items (col. 5, line 25 to col. 6, line 12).

Vanttila does not specifically teach the terminal further comprises means for removing menu items.

However, a radio communication comprises means for removing menu items is very well known in the art of communications, as evidenced by Sorensen. Sorensen teaches the controller of a communication device adds a particular menu item and removes a particular menu item to/from the short memory (col. 3, lines 19-35, col. 14, lines 18-27). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have implemented the teachings of Sorensen within the system of Vanttila in order for the radio telephone to have a short menu and an extended menu (col. 13, lines 19-35).

Regarding to claim 16, Vanttila does not explicitly teach storing said menu item in the terminal for future use.

Art Unit: 2744

However, storing said menu item in the terminal is very well known in the art of communications, as evidenced by Sorensen. Sorensen teaches a communication device includes a memory storing menu items (abstr.). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have implemented the teachings of Sorensen within the system of Vanttila in order to store short and long menu items (col. 2, lines 15-25).

Regarding to claim 18, the claim is interpreted and rejected for the same reason as set forth in the rejection of claim 16 above.

Regarding to claim 19, Sorensen teaches storing said menu item on a sub-menu level under a main-menu in the menu structure of the terminal (col. 5, line 5 to col. 6, line 61).

Regarding to claim 20, Vanttila does not teach removing the created menu item from the terminal after allowing selection of said menu item.

However, Sorensen teaches removing the created menu item from the terminal after allowing selection of said menu item, see col. 3, lines 45-65.

Regarding to claim 22, Sorensen inherently teaches comprising allowing said created menu item to be changed or removed by sending a third user message to the terminal, said third user message including a second predetermined command (col. 3, line 36 to col. 4, line 63).

6. Claims 10, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vanttila et al. in view of Sorensen et al. further in view of Ali-Vehmas.

Art Unit: 2744

Regarding to claim 10, Vanttila, and Sorensen teach all the limitations including means for receiving said commands relating to said menu application as information in a user message having a header indicating that the user message relates to said menu application, wherein said menu application has been arranged to create said menu items in response to receiving such a user message comprising said commands (col. 5, line 50 to col. 6, line 12).

Vanttila, and Sorensen are silent with respect to the terminal is capable of supporting a plurality of applications.

However, having a terminal that supports a plurality of applications is very well known in the art of communications, as evidenced by Ali-Vehmas (GB 2,265,512 A). Ali-Vehmas discloses a radio telephone having means for receiving more than one memory modules (i.e., applications) wherein a first receiving means is capable of accepting a first type of memory module while the second receiving means may accept a second type of memory module (page 4, lines 8-17).

Therefore, it would have been obvious to one ordinary skill in the art, at the time of the invention, to have implemented the technique of Ali-Vehmas within the system of Vanttila, and Sorensen in order to make radio telephone compatible with different memory module types, which particularly beneficial when there is more than one standard module available for the same application.

Regarding to claim 13, Vanttila inherently teaches wherein said information and said header comprise ASCII characters (col. 5, lines 50-61) since the ASCII is the most popular coding system used in small communications device to convert letters and numbers into digital form.

Art Unit: 2744

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hendricks et al. teaches terminal for suggesting programs offered on a television program delivery system.

Iglehart et al. teaches apparatus and method to provide a functional and more user-friendly interface for downloaded ISDN telephone features.

Fawcett et al. teaches system and method for graphically displaying and navigating through an interactive voice response menu.

*Response to Arguments*

8. Applicant's arguments filed May 16, 2000 have been fully considered but they are not persuasive.

In the response, applicant argues that Vanttila does not disclose the menu application being arranged to create menu items in the terminal in response to wireless received commands. However, the preceding limitation is taught by Vanttila wherein the mobile station receives information (i.e., command) to update menu feature and displays the menu items to enable call forwarding (col. 5, line 16 to col. 6, line 13).

With respect to claims 11 and 12, Applicant argues that Vanttila teaches user message includes an authorization code means for adding menu items and means for removing menu items, and Sorensen does not disclose authorization code. However, Vanttila teaches the use of codes to enable updated menu feature functions and Sorensen teaches the controller adds a particular menu

Art Unit: 2744

item and removes a particular menu item to/from the short memory (col. 3, lines 19-35, col. 14, lines 18-27). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have implemented the teachings of Sorensen within the system of Vanttila in order for the radio telephone to have a short menu and an extended menu (col. 13, lines 19-35).

With respect to claim 10, Applicant argues that Ali-Vehemas does not disclose sending information in a user message that is addressed to one of a plurality of application according to a header in the message. However, the Examiner disagrees with the preceding argument because Ali-Vehemas discloses two application modules (i.e., plurality of applications), each of them has an identity number assigned to it. Inherently, a header is included within each assigned to establish communication via a particular one.

It is important to note that the applicant failed to address in the broadest interpretation possible the Examiner's interpretation of the claims limitations. Actually, Applicant raises arguments that are narrow in scope to that of how the Examiner is interpreting the claimed invention.

The Applicant is further reminded of the clear difference between reading the claims in light of the specification as allowed by 35 U.S.C. 112, 6th paragraph, and by In re Donaldson, 29 USPQ2d, 1845, 16 F.3d 1189 (Fed. Cir, 1994), and reading limitations of the specification into the claims In re Prater, 415 F2d 1393, 162 USPQ 541 (CCPA 1969). Applicant cannot rely on the specification to impart to the claims limitations not recited therein. Such reliance is ineffective to define over the prior art. In re lunberg, 244 F2d 543, 113 USPQ 530 (CCPA 1957); In re

Art Unit: 2744

Winkhans, 188 USPQ 129 (CCPA 1975). Therefore, the Examiner's broadest interpretation of the claimed limitations are still read on the cited prior arts, as clearly stated in the rejection above.

*Conclusion*

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 308-6306, (for formal communications intended for entry)

Art Unit: 2744

Or:

(703) 308-6296 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).

11. Any inquiry concerning this communication or earlier communications from the examiner  
should be directed to Jean A. Gelin whose telephone number is (703) 305-4847.

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Group receptionist whose telephone number is (703) 305-3900.

J. Gelin  
June 12, 2000

J.G.

  
William G. Trost  
Primary Examiner

<b>Notice of References Cited</b>			Application No. 09/183,344	Applicant(s) Isomursu et al.		
			Examiner Jean A. Gelin	Group Art Unit 2744	Page 1 of 1	
<b>U.S. PATENT DOCUMENTS</b>						
	DOCUMENT NO.	DATE	NAME		CLASS	SUBCLASS
A	5,802,526	4/1996	Fawcett et al.		379	88
B	6,058,167	10/1996	Iglehart et al.		379	93.17
C	5,798,785	4/1996	Hendricks et al.		455	161.1
D						
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<b>FOREIGN PATENT DOCUMENTS</b>						
	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
N						
O						
P						
Q						
R						
S						
T						
<b>NON-PATENT DOCUMENTS</b>						
	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)					DATE
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PERMAN AND GREEN LLP



EXHIBIT F2

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**OFFICE OF PETITIONS****NOTICE OF ALLOWANCE AND ISSUE FEE DUE**

LM02/0616

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PERMAN & GREEN  
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FAIRFIELD CT 06430

US ACTION	9-16-00
DUE DATE	9-16-00
PAPER DATED	10-11-00
OA	FINAL
MSG PT	DWG
APPEAL	ISSUE FEE
OTHER	

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/037,445	03/10/98	014	ELLIS, R	2783 06/16/00
First Named Applicant	GABE DYL	35 USC 154(b) term ext. = 0 Days.		

TITLE OF INVENTION SYSTEM FOR EXECUTING NESTED SOFTWARE LOOPS WITH TRACKING OF LOOP NESTING LEVEL

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEES DUE	DATE DUE
0 200-007890-U	712-241-000	NS9	UTILITY	NO	\$1210.00	09/18/00

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.  
PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

- I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
  - A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
  - B. If the status is the same, pay the FEE DUE shown above.
- If the SMALL ENTITY is shown as NO:
  - A. Pay FEE DUE shown above, or
  - B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.
- II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.
- III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

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## Notice of Allowability

Application No.	Applicant(s)
09/037,445	Gabzdyl et al.
Examiner	Group Art Unit
Richard Ellis	2783

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

- This communication is responsive to amendment filed June 5, 2000.
- The allowed claim(s) is/are 1-14
- The drawings filed on \_\_\_\_\_ are acceptable.
- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- All  Some\*  None of the CERTIFIED copies of the priority documents have been received
- received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \*Certified copies not received: \_\_\_\_\_
- Acknowledgement is made of a claim for domestic priority under 35 U.S.C § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office Action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- Applicant MUST submit NEW FORMAL DRAWINGS
- because the originally filed drawings were declared by applicant to be informal.
- including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. \_\_\_\_\_
- including changes required by the proposed drawing correction filed on June 5, 2000., which has been approved by the examiner.
- including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

- Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE on the NOTICE OF ALLOWANCE should also be included.

### Attachment(s)

- Notice of References Cited, PTO-892
- Information Disclosure Statement(s), PTO-1449, Paper No(s). 10
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Notice of Informal Patent Application, PTO-152
- Interview Summary, PTO-413
- Examiner's Amendment/Comment
- Examiner's Comment Regarding Requirement for Deposit of biological Material
- Examiner's Statement of Reasons for Allowance



RICHARD L. ELLIS  
PRIMARY EXAMINER

### Notice of Allowability

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Pursuant to MPEP § 606.01, the title has been changed to read: --System for executing nested software loops with tracking of loop nesting level --.
3. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Richard Ellis whose telephone number is (703) 305-9690. The Examiner can normally be reached on Monday through Thursday from 7am to 5pm.  
If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Meng-Ai An, can be reached on (703) 305-9715. The fax phone number for this Group is (703) 308-9051 or (703) 308-9052.  
Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Richard Ellis  
June 15, 2000



RICHARD L. ELLIS  
PRIMARY EXAMINER

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JUN 05 2000

Page No.: 1 of 1

~~INFORMATION DISCLOSURE  
CITATION FORM FOR  
PATENT APPLICATION  
(FORM PTO-1449)~~  
(Substitute)

Docket No.: 200-007890-US (PAR)

Serial No.: 09/037,445

Applicant(s): Gabzdyl et al.

Filing Date: 3/10/98

Group: 2783

## U.S. PATENTS

Initials	Patent Number	Issue Date	Name	Class	Sub-class	Filing date
RLE	5,481,723	1/2/96	Harris et al.	395	700	2/27/95

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TECH CENTER 2700

## FOREIGN PATENT DOCUMENTS

Initials	Document Number	Date	Country	Name	Translation? Yes/No/n/a
RLE	0 487 082 A2	27/5/92	EPO	NEC Corporation	n/a

## OTHER DOCUMENTS (Title, Author, Date, Pages, Etc., if known)


Examiner's Signature: Richard Ellis

Date Considered: 6/15/2000

Initial if reference was considered, whether or not citation is in conformance with MPEP. Mark through citation if not considered.  
 Include a copy of this citation form with your next correspondence to the Applicant(s).

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Dear Patent and Trademark Office Customer:

The Technical Support Staff of Technology Center 2700 has undertaken continuous quality improvement efforts to ensure that the accompanying correspondence meets high quality standards, and focuses on good customer service. It is important to us that you are satisfied with the services we provide.

If the contents of the attached correspondence has any clerical omissions, e.g., missing references or pages, illegible text, or errors, please contact Verlene Green or Earline Green, as soon as possible. We will take the appropriate action to expedite the necessary corrections.

Verlene D. Green  
Supervisory Legal Instruments Examiner  
Phone Number: (703) 305-4376

Earline Green  
Supervisory Legal Instruments Examiner  
Phone Number: (703) 305-4901

Fax No. (703) 308-9051 or (703) 308-9052

## Attention: Policy on Returning Phone Calls

A PTO-wide customer service standard is: if a PTO employee being called is not available they will return your call by the next business day, or, if you request, an alternate point of contact will be provided. Technology Center 2700 is committed to meeting this service standard. If you have called any employee in our Technology Center and have not received a return phone call within one (1) business day or have not been provided another point of contact, please contact the Technology Center at 703-306-5631. We ensure that you will receive a return phone call, from an employee with the ability to assist you, within four (4) business hours of this contact. We appreciate your help in assisting us to help you.

The employees of Technology Center 2700

3/2/01

Actions Due

Case Number	Country	Sub Case	Application #:	Action Base Date	Response Sent	Action Type
442-007078	US	C01	09/183,344	30-Oct-1998		Application Status Check
442-007078	US	C01	09/183,344	15-Sep-2000	15-Sep-2000	CPA FILED
442-007078	US	C01	09/183,344	26-Feb-1996		Foreign Filing
442-007078	US	C01	09/183,344	28-Oct-1998	30-Oct-1998	TBP
442-007078	US	C01	09/183,344	01-Sep-1999	02-Dec-1999	US-3MON. ACTION
442-007078	US	C01	09/183,344	04-Feb-2000	01-May-2000	US-3MON. ACTION
442-007078	US	C01	09/183,344	03-Oct-2000	01-Feb-2001	US-3MON. ACTION
442-007078	US	C01	09/183,344	16-Jun-2000		US-FINAL 3MONTH

Remarks	First Date	Last Update
	30-Oct-1998	18-Sep-2000
CPA FILED 09/15/0	30-Oct-1998	20-Oct-2000
	30-Oct-1998	18-Sep-2000
	30-Oct-1998	10-Nov-1998
	30-Oct-1998	10-Dec-1999
	30-Oct-1998	10-May-2000
	30-Oct-1998	13-Feb-2001
FILED CPA 09/15/0	30-Oct-1998	16-Oct-2000

Actions Due

Case Number	Country	Sub Case	Action Base Date	Application #	Response Sent Date	Action Type
442-007078	US	C01	16-Jun-2000	09/183,344		US-FINAL 3MONTH
473-008452	US	PAR	16-Jun-2000	09/238,380	22-Dec-2000	US-3MON. ACTION
502-009367	US	PAR	16-Jun-2000	09/547,383	16-Oct-2000	US-MISSING PART
680-009562	US	PAR	16-Jun-2000	09/211,316	18-Sep-2000	US-3MON. ACTION

**Actions Due**

**3/2/01**

Last Update
16-Oct-2000
05-Jan-2001
03-Nov-2000
20-Oct-2000

RECEIVED

JUN 19 2000

PERMAN AND GREEN LLP



NOTICE OF ALLOWANCE AND ISSUE FEE DUE

NM12/0616

CLARENCE A. GREEN  
PERMAN & GREEN LLP  
425 POST ROAD  
FAIRFIELD CT 06430

US ACTION 9-16-00  
DUE DATE 9-16-00  
PAPER DATED 9-16-00  
OA FINAL  
MSG PT DWG  
APPEAL ISSUE FEE  
OTHER

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
29/110,806	09/10/99	091	SINDAVAGE, J	2911 06/16/00
First Named Applicant	HARTUNG, G.	35 USC 154 (b) term ext.	0 days.	
TITLE OF INVENTION	CHARGER			

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEES DUE	DATE DUE
391-426008886-U	D13-107.000	Y72	DESIGN	NO	\$430.00	09/18/00

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.  
PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS  
APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number.

Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

***IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.***

YOUR COPY

## Notice of Allowability

Application No.  
29/110,800

Applicant(s)

Harjunpaa et al.

Examiner

Joel Sincavage

Group Art Unit

2911



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

- This communication is responsive to communication filed 6-2-00
- The allowed claim(s) is/are 1
- The drawings filed on Jun 2, 2000 are acceptable.
- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- All  Some\*  None of the CERTIFIED copies of the priority documents have been  
 received.  
 received in Application No. (Series Code/Serial Number) \_\_\_\_\_  
 received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- Applicant MUST submit NEW FORMAL DRAWINGS  
 because the originally filed drawings were declared by applicant to be informal.  
 including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. \_\_\_\_\_.  
 including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.  
 including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

- Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

### Attachment(s)

- Notice of References Cited, PTO-892  
 Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_  
 Notice of Draftsperson's Patent Drawing Review, PTO-948  
 Notice of Informal Patent Application, PTO-152  
 Interview Summary, PTO-413  
 Examiner's Amendment/Comment  
 Examiner's Comment Regarding Requirement for Deposit of Biological Material  
 Examiner's Statement of Reasons for Allowance

JOEL SINCAVAGE  
PRIMARY EXAMINER  
ART UNIT 2911

ATTORNEY DOCKET NO.

ATTY

SECY

DATE MAILED

SERIAL NO.

29110,800

CHECK FOR \$

0

- Amendment ( 2 page(s))  
 Preliminary Amendment ( \_\_\_\_\_ page(s))  
 Amendment Transmittal  
 Drawings  
 Formal ( 4 sheet(s))  
 Informal ( \_\_\_\_\_ sheet(s))  
 Red-line ( \_\_\_\_\_ sheet(s))  
 Sub. of Proposed Drawing Amendment  
 Transmittal of Formal Drawings  
 Certificate of Correction  
 Request for Certificate of Correction  
 Request for Corrected Filing Receipt  
 Certified Copy  
 Transmittal of Certified Copy  
 Change of Attorney's Address in Application

- Certificate of Mailing  
 IDS, PTO-1449, references  
 Issue Fee  
 Appeal Brief (in triplicate) ( \_\_\_\_\_ page(s))  
 Assignment  
 Assignment Cover Sheet  
 Declaration & Power of Attorney  
 Notice of Appeal  
 Petition & Fee for Extension of Time  
 Let. Calling Attention To Error in Patent  
 Completion of Filing Requirements  
 OTHER: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Receipt is hereby acknowledged of the papers/fees as identified:  
Commissioner of Patents & Trademarks

## EXHIBIT F4

## FORMALITIES LETTER



\*0C00000005181059\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/547,383	04/11/2000		502-009367-US(PAR)

Clarence A Green  
 Perman & Green LLP  
 425 Post Road  
 Fairfield, CT 06430

US ACTION  
 DUE DATE 8-16-00  
 PAPER DATED 0-11-00  
 CA \_\_\_\_\_ FINAL \_\_\_\_\_  
 MSG PT  DWG \_\_\_\_\_  
 APPEAL \_\_\_\_\_ ISSUE FEE \_\_\_\_\_  
 OTHER \_\_\_\_\_

Date Mailed: 06/16/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below; however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

---

*A copy of this notice **MUST** be returned with the reply.*

---

Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

**RECEIVED**

JUN 20 2000

PERMAN AND GREEN LLP



**EXHIBIT F5  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/219.504 12/21/98 HARRIS A 252-007102-U

PM82/0616

PERMAN & GREEN  
JANIK MARCOVICI  
425 POST ROAD  
FAIRFIELD CT 06430-6232

EXAMINER

JOHNSON, S

ART UNIT	PAPER NUMBER
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3641

5

DATE MAILED: 06/16/00

US ACTION 9-11a-00  
DUE DATE  
PAPER DATED 10-11a-00  
OA FINAL  
MSG PT DWG  
APPEAL ISSUE FEE  
OTHER

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

<b>Office Action Summary</b>	Application No. 09/219,504	Applicant(s) Andrew H. Harris
	Examiner Stephen M. Johnson	Group Art Unit 3641

Responsive to communication(s) filed on Jun 2, 2000.

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

#### Disposition of Claims

Claim(s) 1-6 and 19 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1-6 and 19 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claims 1-6 and 19 are subject to restriction or election requirement.

#### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 3641

1. Applicant's election without traverse of invention I (directed to a method of manufacturing a firearm) in Paper No. 4 is acknowledged.

Claims 1-6 and 19 read on the elected invention and an action on these claims follows.

2. The disclosure is objected to because of the following informalities: On page 6, line 34, the term "3A" should be '2A'.

Appropriate correction is required.

3. Claims 1-6 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 12, use of the phrase "substantial machining" makes the claim indefinite as to the degree or amount of machining required to infringe the claims. In claim 1, lines 14-15, what weight range is intended to be inclusive of the phrase "a lightweight generally comparable to aluminum or titanium"? In claim 1, lines 15-17, what fatigue strength, yield strength, and hardness are intended to be included in the terminology "has a fatigue strength, yield strength, and hardness substantially similar to a forged component". Which of the myriad of different forged components in numerous different arts and applications is this comparison intended to apply to? In claim 1, line 7, use of the phrase "near net shape" makes the claim indefinite as to how near or far from the final intended shape one must be to infringe the claims.

In claim 5, lines 2-3; and in claim 6, lines 2-3, the phrases "the cast pressure bearing component" and "the finished pressure bearing component" lack complete agreement with their

Art Unit: 3641

antecedents. In claim 5, line 3, what temper is intended to be included in the term "a predetermined temper"?

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 4-6, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carden et al. in view of Strayer et al. or Pachmayr et al..

Carden et al. discloses a method for manufacturing of a composite material comprising:

a) forming a metal matrix composite material of aluminum matrix, col. 4, lines 38-56

b) casting the matrix composite material to a near net shape, and col. 3, lines 1-6;

col. 5, lines 18-19

c) has a lightweight comparable to aluminum. col. 4, lines 38-56

Carden et al. apply as previously recited. However, undisclosed is a composite material that is a firearm part. Strayer et al. and Pachmayr et al. disclose composite materials that are firearm parts (Strayer et al. (col. 3, lines 42-49)) (Pachmayr et al. (34, 35, 36)). Applicant is substituting a particular application for the composite material of Carden et al. for an application commonly known in the art. It is commonly known in this art that casting of composite material is used to form firearms (see col. 3, lines 50-55 of Strayer et al. or fig. 5 of Pachmayr et al.). It would have been obvious to a person of ordinary skill in this art at the time of the invention to

Art Unit: 3641

apply the teachings of Strayer et al. or Pachmayr et al. to the Carden et al. method and have a method that is used in a particular application (forming firearm parts).

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carden et al. in view of either Strayer et al. or Pachmayr et al. as applied to claims 1-2, 4-6, and 19 above, and further in view of Carden (059).

Carden et al., Strayer et al., and Pachmayr et al. apply as previously recited. However, undisclosed is ceramic additive that is boron carbide. Carden (059) teaches a ceramic additive that is boron carbide (col. 1, line 37). Applicant is substituting one ceramic additive for another in an analogous art setting as explicitly encouraged by the secondary reference (see col. 1, lines 35-40 of Carden (059)). It would have been obvious to a person of ordinary skill in this art at the time of the invention to apply the teachings of Carden (059) to the Carden et al. in view of either Strayer et al. or Pachmayr et al. method for making composite materials and have a method for making that uses a different type of ceramic additive.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Maxwell and Schlott disclose other relevant material compositions.

8. Any inquiry concerning this communication should be directed to Stephen M. Johnson at telephone number (703)-306-4158.



STEPHEN M. JOHNSON  
PRIMARY EXAMINER

<b>INFORMATION DISCLOSURE CITATION FORM FOR PATENT APPLICATION (FORM PTO-1449)</b> <b>(Substitute)</b>		Docket No.: 252-007102-US(PAR)	Serial No.: 09/219,504 3/Patent Act 2/04 L-9 2-7-99
		Applicant(s): Harris	Filing Date: 11/21/99
		Group: 3600	

1-526 U.S. PTO  
09/219,504**U.S. PATENTS**

Initials	Patent Number	Issue Date	Name	Class	Sub-class	Filing date
~	5,486,223	1/23/96	Carden	75	244	1/19/94
~	5,160,802	11/3/92	Moscrip	89	16	9/24/75
~	4,669,212	6/2/87	Jackson et al.	42	76.02	10/29/84

**FOREIGN PATENT DOCUMENTS**

Initials	Document Number	Date	Country	Name	Translation? Yes/No/n/a

**OTHER DOCUMENTS (Title, Author, Date, Pages, Etc., if known)**

~	ALYN Corporation Precision Pressure Cast Division Brochure, 11 pages, no date
~	Boralyn Properties and Specifications Pamphlet, ALYN Corp., William C. Harrigan, pp. 1-6, no date
~	Mechanical and Physical Property Comparisons of Boralyn Table, ALYN Corp., 1 page, no date
~	Products From Metal Matrix Technologies Pamphlet, ALYN Corp., 8 pages, no date

Examiner's Signature: *[Signature]*

Date Considered: 6/12/2000

Initial if reference was considered, whether or not citation is in conformance with MPEP. Mark through citation if not considered.  
 Include a copy of this citation form with your next correspondence to the Applicant(s).

<b>Notice of References Cited</b>		Application No. 09/219,504	Applicant(s) Andrew H. Harris
		Examiner Stephen M. Johnson	Group Art Unit 3641

**U.S. PATENT DOCUMENTS**

	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A	5,865,238	02/02/99	Carden et al.	164	97
B	5,293,708	03/15/94	Strayer et al.	42	71.02
C	4,132,024	01/02/79	Pachmayr et al.	42	71.02
D	5,669,059	09/16/97	Carden	419	12
E	3,617,397	11/02/71	Maxwell	148	32.5
F					
G					
H					
I					
J					
K					
L					
M					

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
N	366,338	1/1923	Germany	Schlott	42	71.02
O						
P						
Q						
R						
S						
T						

**NON-PATENT DOCUMENTS**

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
U		
V		
W		MAR 12 2001
X	RECEIVED OFFICE OF PETITIONS	

6/13/2000

*fl*  
**RECEIVED**

JUN 20 2000

PERMAN AND GREEN LLP



**EXHIBIT F6  
UNITED STATES DEPARTMENT OF COMMERCE**

**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

*SN*

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/238,380 01/27/99 THEIMER W 473-008452-U

CLARENCE A GREEN  
PERMAN & GREEN  
425 POST ROAD  
FAIRFIELD CT 06430

PM82/0616

EXAMINER

GREGORY, B

ART UNIT	PAPER NUMBER
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3662 *6*

**DATE MAILED:** 06/16/00

US ACTION  
DUE DATE 6-11-00  
PAPER DATED 6-11-00  
OA FINAL  
MSG PT. DWG.  
APPEAL ISSUE FEE  
OTHER  

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

*ZofZ*



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/238,380 01/27/99 THEIMER W 473-008452-U

PM82/0616

CLARENCE A GREEN  
PERMAN & GREEN  
425 POST ROAD  
FAIRFIELD CT 06430

EXAMINER

GREGORY, B

ART UNIT

PAPER NUMBER

3652

DATE MAILED:

06/16/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

## Office Action Summary

Application No. 09/238,380	Applicant(s) Wolfgang Theimer et al.
Examiner Bernarr Earl Gregory	Group Art Unit 3662

Responsive to communication(s) filed on \_\_\_\_\_

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three (3) month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

### Disposition of Claims

Claim(s) 1-15 \_\_\_\_\_ is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1-15 \_\_\_\_\_ is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claims \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 5

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 3662

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1-15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The method steps in claims 1-15 are merely directed to the execution of an abstract navigational program (claims 1-14) and the output of the results of the execution of that program (claim 15). There is no practical application of the results of the execution of the navigational program; therefore, the method of claims 1-15 is non-statutory subject matter. Please note section IV.B.2.(c) in the Guidelines in MPEP 2106.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Morimoto et al ('706) or Nishimura et al ('280) or Nimura et al ('947).

Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Tanimoto ('775) or Endo et al ('349) or Nimura et al ('289).

Art Unit: 3662

Each of the applied references plainly shows a navigational method as set forth in independent claim 1 where there is a precalculated route based upon a specified starting point and destination point and where the system detects a deviation from the calculated route and then indicates how to return to the precalculated route. In addition, the further limitations of dependent claims 2-11 (taking account of current position, direction, and so on) are plainly present in each of the applied references since logically such parameters must be taken into account for the methods to be able to return the vehicle from where it is to the intended path.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernarr Gregory whose telephone number is (703) 306-5765. The Art Unit FAX number is (703) 306-4195.

**Bernarr E. Gregory  
Primary Examiner  
Art Unit 3662**

beg

June 14, 2000

<b>INFORMATION DISCLOSURE CITATION FORM FOR PATENT APPLICATION (FORM PTO-1449) (Substitute)</b>		Docket No.: 473-008452-US(PAR)	Serial No.:			
		Applicant(s): THEIMER et al.				
		Filing Date: Herewith				
		Group: A, u, 362				
<b>U.S. PATENTS</b>						
Initials	Patent Number	Issue Date	Name	Class	Sub-class	Filing date
<del>DC-1</del>	5,016,002	5/14/91	Levanto	340	756	4/5/89
<del>DC-1</del>	5,852,483	12/22/98	Newstead et al.	349	62	12/18/95
<del>DC-1</del>	5,311,434	5/10/94	Tamai	364	449	7/31/92
<b>FOREIGN PATENT DOCUMENTS</b>						
Initials	Document Number	Date	Country	Name		Translation? Yes/No/n/a
<del>DC-1</del>	DE 195 44 157A1	5/22/97	Germany	Mannesmann AG	<del>ALBRECHT ET AL</del>	no
<del>DC-1</del>	EP 0 833 292 A1	4/1/98	Europe EPO	Aisin AW Co., Ltd.	<del>KISHI ET AL</del>	n/a
<del>DC-1</del>	WO 97/02469	1/23/97	PCT WIPO	Kadaster VAN BUREN		n/a
<del>DC-1</del>	WO 93/13385	7/8/93	PCT WIPO	Motorola Inc. SMITH		n/a
<b>OTHER DOCUMENTS (Title, Author, Date, Pages, Etc., if known)</b>						
Prior Art Disclosure Statement						
Examiner's Signature: EXAMINER:		GREGORY		Date Considered: 6/14/00		
Initial if reference was considered, whether or not citation is in conformance with MPEP. Mark through citation if not considered.						
Include a copy of this citation form with your next correspondence to the Applicant(s).						

<b>Notice of References Cited</b>			Application No. 09/238,380	Applicant(s) Wolfgang Theimer et al.		
			Examiner Bernarr Earl Gregory	Group Art Unit 3662	Page 1 of 1	
<b>U.S. PATENT DOCUMENTS</b>						
	DOCUMENT NO.	DATE	NAME		CLASS	SUBCLASS
A	4,992,947	2/1991	NIMURA ET AL.		701	210
B	5,638,280	6/1997	NISHIMURA ET AL.		701	209
C	5,652,706	7/1997	MORIMOTO ET AL.		701	210
D	5,757,289	5/1998	NIMURA ET AL.		701	209X
E	5,902,349	5/1999	ENDO ET AL.		701	209X
F						
G						
H						
I						
J						
K						
L						
M						
<b>FOREIGN PATENT DOCUMENTS</b>						
	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
N						
O						
P						
Q						
R						
S						
T						
<b>NON-PATENT DOCUMENTS</b>						
	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)				DATE	
U						
V						
W						
X						

**Revision of Patent and Trademark Fees for Fiscal Year 2000**  
**In view of the American Inventors Protection Act of 1999, Public Law 106-113**

The following amendments to the fee amounts in 37 CFR 1.16, 1.20, and 1.492 shown below will be effective on December 29, 1999:

**Patent Fees:**

37 CFR

Sec.	Description	Current Fee Amount	New Fee Amount <u>(Effective 12/29/99)</u>
1.16(a)	Basic filing fee - Utility	\$760	\$690
1.16(a)	Basic filing fee - Utility (Small Entity)	\$380	\$345
1.16(a)	Basic filing fee - Utility (CPA)	\$760	\$690
1.16(a)	Basic filing fee - Utility (CPA) (Small Entity)	\$380	\$345
1.16(h)	Reissue filing fee	\$760	\$690
1.16(h)	Reissue filing fee (Small Entity)	\$380	\$345
1.16(h)	Reissue filing fee (CPA)	\$760	\$690
1.16(h)	Reissue filing fee (CPA) (Small Entity)	\$380	\$345
1.20(e)	Maintenance fee - due at 3.5 years	\$940	\$830
1.20(e)	Maintenance fee - due at 3.5 years (Small Entity)	\$470	\$415
1.492(a)(2)	ISA - U.S.	\$760	\$690
1.492(a)(2)	ISA - U.S. (Small Entity)	\$380	\$345

The following amendments to the fee amounts in 37 CFR 1.17 and 2.6 shown below will be effective on January 10, 2000:

**Patent Fees:**

37 CFR

Sec.	Description	Current Fee Amount	New Fee Amount <u>(Effective 1/10/00)</u>
1.17(r)	Filing a submission after final rejection (1.129(a))	\$760	\$690
1.17(r)	Filing a submission after final rejection (1.129(a)) (Small Entity)	\$380	\$345
1.17(s)	Per additional invention to be examined (1.129(b))	\$760	\$690
1.17(s)	Per additional invention to be examined (1.129(b)) (Small Entity)	\$380	\$345

**Trademark Fees:**

37 CFR

Sec.	Description	Current Fee Amount	New Fee Amount <u>(Effective 1/10/00)</u>
2.6(a)(1)	Application for registration, per class	\$245	\$325
2.6(a)(4)	Extension for filing Statement of Use, per class	\$100	\$150
2.6(a)(5)	Application for renewal, per class	\$300	\$400
2.6(a)(13)	Filing section 15 affidavit, per class	\$100	\$200
2.6(a)(16)	Petition for cancellation, per class	\$200	\$300
2.6(a)(17)	Notice of opposition, per class	\$200	\$300

Patent and trademark customers are responsible for paying the correct fee amounts. We advise our customers to refer to the official PTO Web site at [www.uspto.gov](http://www.uspto.gov) or contact the PTO General Information Services Division at (703) 308-4357 or (800) PTO-9199 for the most current fee amounts and information.

RECEIVED

JUN 21 2000

PERMAN AND GREEN LLP

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

## NOTICE OF ALLOWANCE AND ISSUE FEE DUE

NM12/0616

CLARENCE A GREEN  
PERMAN & GREEN LLP  
426 POST ROAD  
FAIRFIELD CT 06430

US ACTION G-16-00  
DUE DATE 6-16-00  
PAPER DATED  
OA FINAL  
MSG PT DWG  
APPEAL ISSUE FEE  
OTHER

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
29/111,452	09/28/99	001	OLIVER, C	2914 06/16/00
First Named Applicant	JOSEPH M.			35 USC 154(B) Term ext. = 0 Days.

TITLE OF INVENTION:  
HOLDER FOR HANDSET

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEES DUE	DATE DUE
U 442D0008887-U	D03-218.000	Y70	DESIGN	NO	\$430.00	09/18/00

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.  
PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS  
APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

- I. Review the SMALL ENTITY status shown above.  
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
  - A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
  - B. If the status is the same, pay the FEE DUE shown above.
- If the SMALL ENTITY is shown as NO:
  - A. Pay FEE DUE shown above, or
  - B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.
- II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.
- III. All communications regarding this application must give application number and batch number.  
Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

YOUR COPY

Art Unit: 2914

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. For clarity (37 CFR 1.117) the description(s) of Fig(s). 2, 3, and 4 have been amended to read:

- Figure 2 is a left side view thereof;
- Figure 3 is a front, top and left side perspective view thereof;
- Figure 4 is a rear, bottom and right side perspective view thereof; --

3. Applicant must include proper surface shading on the drawings. Proper surface shading is necessary so that open and closed areas are not left to conjecture. The drawing figures should be appropriately and adequately shaded to show clearly the character and/or contour of all surfaces represented. See 37 CFR 1.152(a)(1). This is of particular importance in the showing of three (3) dimensional articles where it is necessary to delineate plane, concave, convex, raised, and/or depressed surfaces of the subject matter, and to distinguish between open and closed areas. Solid black surface shading is not permitted except when used to represent the color black as well as color contrast.

Art Unit: 2914

4. Any inquiries related to communications from the examiner should be directed to Catherine R. Oliver, whose telephone number is (703)305-7098. The Examiner can normally be reached on Monday through Friday from 7:30 a.m. to 4:30 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Mr. Louis S. Zarfas, can be reached at (703)305-3260. The FAX phone number for this group is (703)308-2742.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)305-3293.

C.R. Oliver

June 14, 2000

6/14/00  
C.R. Oliver  
(703)305-3293

## NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 9.28.98 are:

- approved by the Draftsperson under 37 CFR 1.84 or 1.152.
- objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawing must be submitted according to the instructions on the back of this notice.

- |  |   |
|--|---|
| <p><b>1. DRAWINGS.</b> 37 CFR 1.84(a): Acceptable categories of drawings:<br/> <input type="checkbox"/> Black ink. Color.<br/> <input type="checkbox"/> Color drawings are not acceptable until petition is granted.<br/> <input type="checkbox"/> Fig(s)<br/> <input type="checkbox"/> Pencil and non black ink not permitted. Fig(s) _____</p> <p><b>2. PHOTOGRAPHS.</b> 37 CFR 1.84 (b)<br/> <input type="checkbox"/> 1 full-tone set is required. Fig(s) _____<br/> <input type="checkbox"/> Photographs not properly mounted (must use bristol board or photographic double-weight paper). Fig(s) _____<br/> <input type="checkbox"/> Poor quality (half-tone). Fig(s) _____</p> <p><b>3. TYPE OF PAPER.</b> 37 CFR 1.84(e)<br/> <input type="checkbox"/> Paper not flexible, strong, white, and durable.<br/> <input type="checkbox"/> Fig(s)<br/> <input type="checkbox"/> Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) _____<br/> <input type="checkbox"/> Mylar, velum paper is not acceptable (too thin).<br/> <input type="checkbox"/> Fig(s) _____</p> <p><b>4. SIZE OF PAPER.</b> 37 CFR 1.84(f): Acceptable sizes:<br/> <input type="checkbox"/> 21.0 cm by 29.7 cm (DIN size A4)<br/> <input type="checkbox"/> 21.6 cm by 27.9 cm (8 1/2 x 11 inches)<br/> <input type="checkbox"/> All drawing sheets not the same size.<br/> <input type="checkbox"/> Sheet(s) _____<br/> <input type="checkbox"/> Drawings sheets not an acceptable size. Fig(s) _____</p> <p><b>5. MARGINS.</b> 37 CFR 1.84(g): Acceptable margins:<br/> <input type="checkbox"/> Top 2.5 cm Left 2.5cm Right 1.5 cm Bottom 1.0 cm<br/>     SIZE: A4 Size<br/> <input type="checkbox"/> Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm<br/>     SIZE: 8 1/2 x 11<br/> <input type="checkbox"/> Margins not acceptable. Fig(s) <u>1-3 5/6</u><br/> <input type="checkbox"/> Top (T) _____ Left (L) _____<br/> <input type="checkbox"/> Right (R) _____ Bottom (B) _____</p> <p><b>6. VIEWS.</b> 37 CFR 1.84(h)<br/> <b>REMINDER:</b> Specification may require revision to correspond to drawing changes.<br/>     Partial views. 37 CFR 1.84(h)(2)<br/> <input type="checkbox"/> Brackets needed to show figure as one entity.<br/> <input type="checkbox"/> Fig(s)<br/> <input type="checkbox"/> Views not labeled separately or properly.<br/> <input type="checkbox"/> Fig(s)<br/> <input type="checkbox"/> Enlarged view not labeled separately or properly.<br/> <input type="checkbox"/> Fig(s) _____</p> <p><b>7. SECTIONAL VIEWS.</b> 37 CFR 1.84 (h)(3)<br/> <input type="checkbox"/> Hatching not indicated for sectional portions of an object.<br/> <input type="checkbox"/> Fig(s)<br/> <input type="checkbox"/> Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____</p> | <p><b>8. ARRANGEMENT OF VIEWS.</b> 37 CFR 1.84(i)<br/> <input type="checkbox"/> Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____</p> <p><b>9. SCALE.</b> 37 CFR 1.84(k)<br/> <input type="checkbox"/> Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.<br/> <input type="checkbox"/> Fig(s) _____</p> <p><b>10. CHARACTER OF LINES, NUMBERS, &amp; LETTERS.</b><br/>     37 CFR 1.84(l)<br/> <input type="checkbox"/> Lines, numbers &amp; letters not uniformly thick and well defined, clean, durable, and black (poor line quality).<br/> <input type="checkbox"/> Fig(s) <u>1-2</u></p> <p><b>11. SHADING.</b> 37 CFR 1.84(m)<br/> <input type="checkbox"/> Solid black areas pale. Fig(s) _____<br/> <input type="checkbox"/> Solid black shading not permitted. Fig(s) _____<br/> <input type="checkbox"/> Shade lines, pale, rough and blurred. Fig(s) _____</p> <p><b>12. NUMBERS, LETTERS, &amp; REFERENCE CHARACTERS.</b><br/>     37 CFR 1.84(p)<br/> <input type="checkbox"/> Numbers and reference characters not plain and legible.<br/> <input type="checkbox"/> Fig(s)<br/> <input type="checkbox"/> Figure legends are poor. Fig(s) _____<br/> <input type="checkbox"/> Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1).<br/> <input type="checkbox"/> Fig(s)<br/> <input type="checkbox"/> English alphabet not used. 37 CFR 1.84(p)(2)<br/> <input type="checkbox"/> Figs _____<br/> <input type="checkbox"/> Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3)<br/> <input type="checkbox"/> Fig(s) _____</p> <p><b>13. LEAD LINES.</b> 37 CFR 1.84(q)<br/> <input type="checkbox"/> Lead lines cross each other. Fig(s) _____<br/> <input type="checkbox"/> Lead lines missing. Fig(s) _____</p> <p><b>14. NUMBERING OF SHEETS OF DRAWINGS.</b> 37 CFR 1.84(i)<br/> <input type="checkbox"/> Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Sheet(s) _____</p> <p><b>15. NUMBERING OF VIEWS.</b> 37 CFR 1.84(u)<br/> <input type="checkbox"/> Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____</p> <p><b>16. CORRECTIONS.</b> 37 CFR 1.84(w)<br/> <input type="checkbox"/> Corrections not made from prior PTO-948 dated _____</p> <p><b>17. DESIGN DRAWINGS.</b> 37 CFR 1.152<br/> <input type="checkbox"/> Surface shading shown not appropriate. Fig(s) _____<br/> <input type="checkbox"/> Solid black shading not used for color contrast.<br/> <input type="checkbox"/> Fig(s) _____</p> |
|--|---|

### COMMENTS

REVIEWER JC DATE 6/14/00 TELEPHONE NO. 703 345-5576

ATTACHMENT TO PAPER NO. 5



Catherine F. Oliver ex Andt 1  
6/10  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
29/111,452	09/28/99	JOKINEN	T 442D008887-U

EXAMINER

NM12/0616

ART UNIT IV PAPER NUMBER

2914 150

DATE MAILED 29/14

06/16/00

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

#### NOTICE OF ALLOWABILITY

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

- This communication is responsive to \_\_\_\_\_  
 The allowed claim(s) is/are ONE CLAIM  
 The drawings filed on \_\_\_\_\_ are acceptable.  
 Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).  
 All  Some\*  None of the CERTIFIED copies of the priority documents have been received.  
 received in Application No. (Series Code/Serial Number) \_\_\_\_\_  
 received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  
\*Certified copies not received: \_\_\_\_\_  
 Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.  
 Applicant MUST submit NEW FORMAL DRAWINGS  
 because the originally filed drawings were declared by applicant to be informal.  
 including changes required by the Notice of Draftperson's Patent Drawing Review, PTO-946, attached hereto or to Paper No. \_\_\_\_\_  
 including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.  
 including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftperson.

- Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

#### Attachment(s)

- Notice of References Cited, PTO-892  
 Information Disclosure Statement(s), PTO-1449, Paper No(s). 4  
 Notice of Draftperson's Patent Drawing Review, PTO-948  
 Notice of Informal Patent Application, PTO-152  
 Interview Summary, PTO-413  
 Examiner's Amendment/Comment  
 Examiner's Comment Regarding Requirement for Deposit of Biological Material  
 Examiner's Statement of Reasons for Allowance

<b>INFORMATION DISCLOSURE CITATION FORM FOR PATENT APPLICATION (FORM PTO-1449) (Substitute)</b>		Docket No.: 442D008887-US(PAR)	Serial No.:			
		Applicant(s): JOKINEN et al.				
		Filing Date: Herewith	Group:			
<b>U.S. PATENTS</b>						
Initials	Patent Number	Issue Date	Name	Class	Sub-class	Filing date
CRO D	P 361,335	8/15/95	Rudkiewicz et al.	D14	253	6/21/94
CRO D	D 399,848	10/20/98	Hebblewhite et al.	D14	253	8/22/96
CRO D	D 356,798	3/28/95	Rudkiewicz et al.	D14	253	3/29/94
CRO D	D 358,822	5/30/95	Rudkiewicz et al.	D14	253	3/29/94
CRO D	D 321,885	11/26/91	Sheldrake	D14	253	10/4/90
CRO D	D 350,545	9/13/94	Olkkola et al.	D14	253	6/5/92
CRO D	D 352,031	11/1/94	Tattari et al.	D14	149	12/20/91
<b>FOREIGN PATENT DOCUMENTS</b>						
Initials	Document Number	Date	Country	Name		Translation? Yes/No/n/a
<b>OTHER DOCUMENTS (Title, Author, Date, Pages, Etc., if known)</b>						
Examiner's Signature: <i>Catherine R. Oliver</i>				Date Considered: 6/14/00		
Initial if reference was considered, whether or not citation is in conformance with MPEP. Mark through citation if not considered.						
Include a copy of this citation form with your next correspondence to the Applicant(s).						

Express Mail No.: EL336860897US

<b>Notice of References Cited</b>			Application No. 29/111,452	Applicant(s) JOKINEN et al.	
			Examiner C. OLIVER	Group Art Unit 2914	Page <u>1</u> of <u>1</u>

U.S. PATENT DOCUMENTS

*	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
* A	D395,545	6/98	CRIM JR.	D3	218
* B	D400,209	10/98	WILLIAMS et al.	D14	253
* C	D404,347	1/99	LUCACI et al.	D14	253
* D	D406,191	3/99	PATTERSON et al.	D3	218
* E	D411,542	6/99	RICHTER	D14	253
* F	D419,290	11/98	TREYER et al.	D3	218
* G	5,659,612	8/97	UDANIC	379	446
H					
I					
J					
K					
L					
M					

FOREIGN PATENT DOCUMENTS

*	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
N						
O						
P						
Q						
R						
S						
T						

NON-PATENT DOCUMENTS

*	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
U		
V		
W		
X		

\* A copy of this reference is not being furnished with this Office action.  
(See Manual of Patent Examining Procedure, Section 707.05(a).)

Part of Paper No. 5

JUN 20 2000

PERMAN AND GREEN LLP



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/163,221	09/29/98	TWITCHELL	R 365-008094
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DA

HARRY F SMITH  
 PERMAN & GREEN  
 425 POST ROAD  
 FAIRFIELD CT 06430

PM82/0616

EXAMINER

MULL, F

ART UNIT

PAPER NUMBER

3662

7

DATE MAILED:

06/16/00

US ACTION	
DUE DATE	6-16-00
PAPER DATED	12-11-00
OA	FINAL
MSG PT	DvG
APPEAL	ISSUE FEE
OTHER	

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks**

## Office Action Summary

Application No.  
09/163,221

Applicant(s)

Twitchell

Examiner

Fred H. Mull

Group Art Unit

3662



Responsive to communication(s) filed on "4-25-2000 and 5-4-2000"

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

### Disposition of Claim

Claim(s) 1-29 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1-6, 8-18, and 21-29 is/are rejected.

Claim(s) 7, 19, and 20 is/are objected to.

Claims \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on May 4, 2000 is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 4

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

-- SEE OFFICE ACTION ON THE FOLLOWING PAGES --

Art Unit: 3662

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-6, 8-9, 13-16, 21-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krasner (WO 98/25157, hereafter referred to as Krasner) in view of Krasner (US 5,841,396, hereafter referred to as Krasner396) and St-Pierre.

In regard to claims 1, 13, 21, 23, and 25, Krasner discloses a portable remote unit (16, Fig. 1), at least one base station (13, 15, 19), a system controller (24), a server (26), wherein in response to a message from said remote unit, said server provides satellite information to said system controller over a communication infrastructure such that said provided satellite information is passed to said remote unit by said at least one base station, wherein said provided satellite information comprises information to aid in acquiring a predetermined number of satellite, said acquired satellite providing coded signals for determining said geographic location of said remote unit (Fig. 3B).

Krasner fails to disclose the coupling between the server and system controller being through a communication infrastructure external to said communication system. Krasner396 discloses the use of a communication infrastructure external to a primary communication system

Art Unit: 3662

to send satellite information used to acquire locating satellites to couple said primary communications system to a server (column 11, line 61, to column 12, line 3).

A substitution of the external communication infrastructure of Krasner396 for the internal communication infrastructure of Krasner, in the coupling of the server and system controller would meet the claimed invention. Motivation for this substitution is found in St-Pierre. St-Pierre teaches the advantages of storing some information in an external infrastructure to allow that data to be available to multiple services (column 2, lines 26-39). Since GPS acquisition data can be useful for many different applications that use GPS positioning, it would be advantageous to be able to provide this information to all of the systems for each of these applications.

In view of the advantages of keeping data that is useful to many different systems in an external infrastructure to allow the different systems to share the data as taught by St-Pierre, it would have been obvious to alter the system of Krasner to make the server, which provides GPS acquisition data, available on an external infrastructure, as taught by Krasner396.

In regard to claims 2 and 14, Krasner discloses the communication system being comprised of a cellular telephone network (p. 4, second paragraph).

In regard to claims 3, 15, 24, 26, and 29, Krasner396 discloses said communication infrastructure being comprised of the Internet (column 12, lines 1-3). It is well known for cellular telephone systems to have access to the Internet via a PSTN.

Art Unit: 3662

In regard to claim 4, Krasner further discloses the remote unit being comprised of an integrated portable GPS receiver and a mobile radiotelephone (Fig. 7A).

In regard to claims 5 and 27, Krasner further discloses means for transmitting (405, 433, Fig. 7B), means for receiving (405, 433), processing means (421), and means for receiving coded signals (401).

It would be obvious to include a time stamp indicating a time said message is transmitted in order for a server sending back satellite information to respond to queries in the order they were sent. A query sent at an earlier time might end up behind a query sent later in the queue, and it may be preferable to switch the order of the queries in order to avoid long waiting times for users.

In regard to claims 6, since the remote unit is equipped to receive GPS time signals, it would be obvious for the time-stamp to be comprised of GPS time.

In regard to claim 8, it would be obvious to include a second time stamp indicating the time when said received satellite information was transmitted from said server. As discussed with regard to claim 5 above, if the external communication infrastructure does not necessarily deliver messages in the order they were sent, for example, the internet, the system controller receive several messages at the same time that were sent at varying times, and it may be desirable to send the oldest messages first to avoid undo delays to users.

In regard to claim 9, Krasner discloses said message comprising a value representing an approximate location of said remote unit (p. 4, second paragraph, lines 5-10).

Art Unit: 3662

In regard to claim 16, see the rejections of claims 5 and 9 above regarding transmitting approximate location and time stamp.

In regard to claim 22, as discussed with regard claims 3 and 15, it would have been obvious for said communications network to be the internet. The internet operates with TCP/IP network protocols.

In regard to claim 28, it is inherent that satellite information is stored in the server of Krasner.

2. Claims 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krasner, Krasner396, and St-Pierre in view of Tiedemann and Marui

Tiedemann discloses a remote unit having access to a latitude and longitude of at least one base station which is servicing said remote unit (column 9, lines 36-38).

It would have been obvious to further modify Krasner to include a remote unit having access to a latitude and longitude of at least one base station which is servicing said remote unit because providing an approximate current location allows the server to provide the most relevant information to the remote unit so that it can acquire said satellite in the fastest possible time.

Since base station longitude and latitude information are available to the remote unit, this information is used as an approximate location for the remote unit.

Marui discloses a remote unit having access to a System ID (SID) of a communication system (column 2, line 44 to column 3, line 5).

Art Unit: 3662

It would have been obvious to further modify Krasner to include a remote unit having access to a System ID (SID) of a communication system because providing an approximate current location allows the server to provide the most relevant information to the remote unit so that it can acquire said satellite in the fastest possible time. Since the SID information is available to the remote unit, this information is used as an approximate location for the remote unit..

3. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krasner, Krasner396, and St-Pierre in view of Schuchman and Loomis.

Schuchman discloses affixing satellite almanac, ephemerides, time data (column 7, lines 12-16), and the knowledge of the in-view satellites (column 7, lines 19-21) to a message sending GPS acquisition information.

Loomis discloses including data representing velocity vectors of the satellites in a message to a remote unit (column 7, line 12), and that data representing velocity vectors of said satellites is useful to determine the offset of the GPS frequencies due to the Doppler effect of the relative velocities between the remote unit and satellites (column 10, lines 8-17).

Since the information send by Schuchman and Loomis is known in the art to be helpful in GPS satellite acquisition, it would have been obvious to include them in the data message of Krasner.

4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krasner, Krasner396, and St-Pierre in view of Loomis.

Art Unit: 3662

GPS is a well known satellite positioning system. Loomis discloses the necessity of four GPS satellites to make an accurate position fix (column 10, lines 59-63) and the use of at least four GPS satellites in determining the position of a remote unit (column 12, lines 28-30).

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krasner, Krasner396, and St-Pierre in view of Tiedemann

Tiedemann discloses a assigning a remote unit a latitude and longitude of at least one base station which is servicing said remote unit (column 9, lines 36-38).

It would have been obvious to further modify Krasner to include assigning a remote unit a latitude and longitude of at least one base station which is servicing said remote unit because providing an approximate current location allows the server to provide the most relevant information to the remote unit so that it can acquire said satellite in the fastest possible time. Since base station longitude and latitude information are available to the remote unit, this information is used as an approximate location for the remote unit.

6. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krasner, Krasner396, and St-Pierre in view of Marui

Marui discloses a remote unit determining a System ID (SID) of a communication system (column 2, line 44 to column 3, line 5).

It would have been obvious to further modify Krasner to include a remote unit having access to a System ID (SID) of a communication system because providing an approximate current location allows the server to provide the most relevant information to the remote unit so

Art Unit: 3662

that it can acquire said satellite in the fastest possible time. Since the SID information is available to the remote unit, this information is used as an approximate location for the remote unit..

7. The examiner also finds the following references relevant:

Girerd also discloses the use of a communication infrastructure external to a primary communication system to send satellite information used to acquire locating satellites to couple said primary communications system to a server.

*Allowable Subject Matter*

8. Claims 7 and 19-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Conclusion*

9. Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on April 25, 2000 prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609(B)(2)(I). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 3662

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred H. Mull whose telephone number is (703) 305-1250. The examiner can normally be reached on weekdays from 8 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza, can be reached on (703) 306-4171. The fax phone number for the organization where this application or proceeding is assigned is (703) 306-4195.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-4177.

THOMAS H. TARCZA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

APR 25 2000

Page No.: 1 of: 1

**INFORMATION DISCLOSURE  
CITATION FORM FOR  
PATENT APPLICATION  
(FORM PTO-1449)**  
(Substitute)

Docket No.: 365-008004-US (PAR)

Serial No.: 09/163,221

Applicant(s): W. Twitchell et al.

Filing Date: 9/29/98

Group: 3662

**U.S. PATENTS**

Initials	Patent Number	Issue Date	Name	Class	Sub-class	Filing date
(-HM)	5,752,218	5/12/98	Harrison et al.	701	207	8/25/97

**FOREIGN PATENT DOCUMENTS**

Initials	Document Number	Date	Country	Name	Translation? Yes/No/n/a
(-HM)	WO 97/14054	17.04.97	PCT	Snaptrack, Inc.	
(-HM)	WO 99/44073	02.09.99	PCT	Ericsson Inc.	
(-HM)	WO 98/25157	11.06.98	PCT	Snaptrack, Inc.	
(-HM)	WO 99/19743	22.04.99	PCT	Ericsson Inc.	

**OTHER DOCUMENTS (Title, Author, Date, Pages, Etc., if known)**

(-HM)	Valejo, A. et al., "Short-range DGPS for mobile robots with wireless Ethernet links", AMC '98-COIMBRA, 1998 IEEE, pp. 334-339, XP-002127554

Examiner's Signature: *Rob Mire*

Date Considered: 6-13-00

Initial if reference was considered, whether or not citation is in conformance with MPEP. Mark through citation if not considered.

Include a copy of this citation form with your next correspondence to the Applicant(s).

<b>Notice of References Cited</b>			Application No. 09/163,221	Applicant(s) Twitchell		
			Examiner Fred H. Mull	Group Art Unit 3662	Page 1 of 1	
<b>U.S. PATENT DOCUMENTS</b>						
	DOCUMENT NO.	DATE	NAME		CLASS	SUBCLASS
A	5,841,396	11/1998	Krasner		342	357.02
B						
C						
D						
E						
F						
G						
H						
I						
J						
K						
L						
M						
<b>FOREIGN PATENT DOCUMENTS</b>						
	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
N						
O						
P						
Q						
R						
S						
T						
<b>NON-PATENT DOCUMENTS</b>						
	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)					DATE
U						
V						
W						
X						

DATE: Fri - June 2

## DAILY MAIL LOG

DATE: Mon June 5

DAILY MAIL LOG

DATE: 6/22

## DAILY MAIL LOG

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
CAG	297-009349-125 (PAP)	6-16-00	Missing Part	8-6-00
MEH	390-007090-US (PAP)	6-16-00	Tissue Fee/Dng	9-6-00
DML	442-00071693-US (PAP)	6-16-00	US - 3 mos	9-6-00
AJH	390-0071628-US (PAP)	6-16-00	Tissue Fee/Dng	9-6-00
MEH	1611-0083200-US (PAP)	6-16-00	Advisory Action	6-22-00
KOC	442-007919-US (PAP)	6-16-00	Final	9-5-00
JM	2000-008173-125 (PAP)	6-16-00	Tissue Fee	9-2-00
<del>CAWH</del>	503-0008739-US (PAP)	6-16-00	Tissue Fee/Dng	9-5-00
KDC	297-007087-125 (PAP)	6-16-00	"	9-6-00
JTG	225-0008012-125 (PAP)	6-16-00	"	9-5-00
DA	442-0008069-125 (PAP)	6-16-00	Final	9-5-00
DA	950P0007694-125 (PAP)	6-16-00	"	9-5-00
RDS	490-007900-US (CO)	6-16-00	US - 3 mos	9-2-00
DA	716-009000-US (PAP)	6-16-00	Tissue Fee/Dng	9-3-00
JTG	950-0071632-US (PAP)	6-16-00	Advisory Action	9-7-00 DD
	502-008468-US (PAP)	6-16-00	US - 3 mos	9-5-00

DATE: \_\_\_\_\_

## DAILY MAIL LOG

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MJS	200-00071641-12S (PAP)	6-2-00	Advisory Action	7-20-00 DD
AWIT	235-0008230-US (PAP)	(6-6) 5-26-00	US-3mon	8-26-00
DA	715-0008988-US (PAP)	(6-2) 5-23-00	"	8-23-00
DA	950-00071617-US (PAP)	6-2-00	Advisory Action	7-20-00 DD
TPD	297-0005352-US(TO)	6-16-00	Issue Fee / Dues	9-6-00
JM	659-0008379-US (PAP)	6-5-00	US-Final	9-5-00
CAG	442-0008322-US (PAP)	6-2-00	US-3mon	9-2-00
AWIT	442-0007972-US (PAP)	6-2-00	US-Final	9-2-00
AWIT	297-0007160-US (PAP)	6-7-00	US-3mon	9-7-00
DA	538-0007459-US (PAP)	6-6-00	US-Final	9-6-00
MET	680-0008916-US (PAP)	6-7-00	US-3mon	9-7-00
CAG	449-0008751-US (PAP)	6-7-00	"	9-7-00
MFH	390-0009027-US (PAP)	6-7-00	Final	9-7-00
PN	200-0007816-US (PAP)	(6-6-00)	US-3mon	9-6-00
TPD	1166P000625S-US (PAP)	6-6-00	Exam's Answer	8-6-00
AWIT	200-0006923-US (PAP)	6-6-00	US-3mon	9-6-00

## DAILY MAIL LOG

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CAG	473-008180-US (PAP)	6-6-00	US-Brown	6-6-00
CAG	456-008015-US (PAP)	6-2-00	"	6-2-00
DA	365-007810-US (PAP)	6-6-00	"	6-6-00
CAG	473-008280-US (PAP)	6-7-00	"	6-7-00
RDC	460-007483-US (PAP)	6-6-00	US-Final	6-6-00
AWH	390-007630-US (PAP)	6-7-00	"	6-7-00
CAG	442-009346-US (PAP)	6-8-00	Missing Part	6-9-00
MFH	252-008109-US (PAP)	6-9-00	Rest Rec	7-9-00
CAG	649-009427-US (PAP)	6-8-00	Missing Rec't	7-8-00
PL	300-008531-US (PAP) (6-7)	6-2-00	Tissue Fee / Dmg	6-2-00

DATE: 11/20 (9-14-00)

## DAILY MAIL LOG

DATE: Thur 4-15-00

## DAILY MAIL LOG

DATE: Mon. 6-19-00

## DAILY MAIL LOG

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
JM	390-00773944-US (PAP)	6-15-00	US-Final	Q-15-00
AWH	297D008886-US(PAP)	6-16-00	Issue Fee	9-16-00
CAG	502-009344-US (PAP)	6-15-00	Missing Part	8-15-00
RDG	445-0089169-US (PAP)	6-14-00	"	8-14-00
CAGS	602-009367-US (PAP)	6-16-00	"	8-16-00
CAGS	295-009304-US (PAP)	6-12-00	"	8-12-00
CAGS	473-009306-US (PAP)	6-14-00	"	8-14-00
MFH	390-007404-US (CO)	6-15-00	Rent. Rec	7-15-00
DA	200-007890-15 (PAP)	6-16-00	Issue Fee/Dues	9-16-00

DATE: Tues. 6-20-00

## DAILY MAIL LOG

DATE: Wednesday (02-01)

## DAILY MAIL LOG

DATE: Thursday 10-22

## DAILY MAIL LOG

DATE: Fri - June 23

DAILY MAIL LOG

DATE: Mon. 6-26-00

## DAILY MAIL LOG

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
CAG	360-0007542-US (PAP)	6-21-00	US-3 mon	9-21-00
AWH	390-0008103-US (PAP)	6-20-00	"	9-20-00
MFH	390-0008584-US (PAP)	6-20-00	"	9-20-00
JM	002-008747-US (PAP)	6-21-00	"	9-21-00
RDG	498-0006979-US (PAP)	6-20-00	"	9-20-00
DA	442-0007886-US (PAP)	6-23-00	Advisory Action	9-9-00 DD
MELT	390-000116-US (CO)	6-23-00	<del>ISSUE</del> See	9-23-00
CAG	297-0008222-US (PAP)	6-21-00	US-3 mon	9-21-00
CAG	297-0008183-US (PAP)	6-23-00	"	9-23-00
RDG	490-0006662-US (PAP)	6-23-00	"	9-23-00
CAG	502-0008724-US (PAP)	6-21-00	"	9-21-00
TPD	297-0007121-US (PAP)	6-23-00	"	9-23-00
DA	460-0007777-US (PAP)	6-23-00	US-Final	9-23-00
JTG	225-007338-LS (PAP)	6-22-00	"	9-22-00
CAG	460-0009376-US (PAP)	6-22-00	Missing Part	8-22-00
C				

DATE: Tues June-00

## DAILY MAIL LOG

DATE: Wednesday June 28

DAILY MAIL LOG

DATE: Thur. June 29

DAILY MAIL LOG

DATE: 5-5 19-30-00

## DAILY MAIL LOG

DATE: Wed. 13.7.5-00

## DAILY MAIL LOG

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
DmW	200-0017837-(PAP)	6-29-00	Advisory Action	6-15-00 DUE
CAG	200-0032947-US (PAP)	6-21-00	US - 3M DUE	6-21-00
DmW	950-0008246-US (PAP)	6-21-00	Advisory Action	6-3-00 DUE
RDG	4160-001633-US (PAP)	6-21-00	Tissue Fee/Dues	9-26-00
DW	217-003145-US (PAP)	6-21-00	Tissue Fee	6-25-00
CAG	200-003415-US (PAP)	6-23-00	Missing Part	8-23 CR
CAG	200-008339-US (PAP)	6-29-00	Tissue Fee/Dues	9-29-00
DX	217-0081341-US (PAP)	6-29-00	"	9-29-CR
CAG	147-0018301-US (PAP)	6-28-00	US3M DUE	6-28-00
JJK	205-007330-US (PAP)	6-30-00	"	9-30-CR
HIS	411-0017954-US (PAP)	6-7-00	Tissue Fee/Dues	10-3-CR
DIV	217-003374-US (PAP)	7-3-00	US-Final	10-3-CR
JM	502-003535-US (PAP)	6-26-00	"	9-26-00
MFR	200-003674-US (PAP)	6-21-00	"	9-21-CR

DATE: Fri 11-17-00

## DAILY MAIL LOG

DATE: Mon 7-10-00

## DAILY MAIL LOG

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
FLW/H	502-0086169-US	7-03-00	Advisory Action	8-10-00/11-10-00
DMW	200-0087712-US(PAR)	7-5-00	US-3mons	10-5-00
KPC	528-007831-US (PAR)	7-5-00	US-Final	10-5-00
CAG	448-009400-US (PAR)	7-5-00	Missing Part	9-5-00
DmJ	300-007854-US (PAR)	7-3-00	Advisory Action	8-26-00 DD
CAG	397-009400-US (PAR)	7-5-00	Missing Part	9-5-00
DA	715P000183-US (PAR)	7-7-00	MISSING Rec'd	8-7-00
PW	502-008314-US (PAR)	7-7-00	Advisory Action	8-22-00/11-22
DA	715-008487-US (PAR)	(7-5) 6-21	US-3mons	9-21-00
CAG	200-008311-US (PAR)	7-10-00	US - 3 mons	10-2-00
HIS	502-008505-US (PAR)	7-5-00	US-Final	10-5-00
RDG	712P0007820-US (PAR)	7-5-00	US-3mons	10-5-00
JM	680-008709-US (PAR)	7-5-00	"	10-5-00
CAG	297-008208-US (PAR)	7-6-00	"	10-6-00
CAG	297-008214-US (PAR)	7-5-00	"	10-5-00
JM	502-008478-US (PAR)	7-6-00	"	10-6-00
MFH	621-008147-US (DOP)	7-6-00	"	10-6-00
MFH	680-009496-US (PAR)	7-3-00	US-Final -	10-3-00
KPC	200-007611-US (PAR)	7-6-00	"	10-6-00
PW	680-008749-US (PAR)	7-5-00	US-3mons	10-5-00

Wed

DATE: TUES 7-11-00

EXHIBIT E21

## DAILY MAIL LOG

DATE: Thurs, 7/13

## DAILY MAIL LOG

DATE: Friday, 7/14

DAILY MAIL LOG

EXHIBIT E23

DATE: Monday July 17

## DAILY MAIL LOG

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
TJD	4460-00071649-US (PAR)	7-13-00	Issue Fee/Dues	10-13-00
AWH	300-0007711-US (PAR)	7-14-00	Advisory Action	10-29/9-29-00 DD
DA	4442-0008346-US (PAR)	7-14-00	Issue Fee/Dues	10-14-00
MFH	680-0009303-US (PAR)	7-13-00	US-Final	10-13-00
CAG	297-0008360-US(PAR)	7-13-00	US-Final	10-13-00
CAG	708P20009399-US (-#)	7-12-00	US-Missing Part	9-12-00
CAG	297-0009372-US (PAR)	7-12-00	"	9-12-00
<del>CAG</del>	4460-0009386-US(PAR)	7-12-00	"	9-12-00
CAG	4412-0009332-US (PAR)	7-3-00	"	9-3-00
CAG	4412-0008455-US (PAR)	7-13-00	US-3 mon	10-13-00
RDL	445-0008069-US(PAR)	7-12-00	"	10-13-00
DA	450P2007695-US(PAR)	7-13-00	US-Final	10-13-00
MFH	390-0009018-US (PAR)	(7-14) 6-20	US-3 mon	9-20-00

## DAILY MAIL LOG

DATE: Wed

## DAILY MAIL LOG

DATE: 11/20/15      7-20-00

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
MFH	680-0009301US (PAP)	7-18-00	US-Final	10-18-00
RDG	950-00871-US (PAP)	(7-18)	US-3MOR	10-13-00
MFH	200-000843-US (PAP)	7-18-00	"	10-18-00
MFH	611-008457-US (PAP)	7-17-00	Issue Fee	10-17-00
RDG	200-007598-US (PAP)	7-18-00	Issue Fee / Dmg	10-18-00
DA	365-007647-US (PAP)	7-18-00	"	10-18-00
DA	365-008000-H-US (PAP)	7-18-00	US-3MOM	10-18-00
RDG	300-007095-US (PAP)	7-17-00	Issue Fee / Dmg	10-17-00

DATE: 7-1-00

## DAILY MAIL LOG

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
AWH	390-0008447-US (PAR)	7-18-00	US-3 mon	10-18-00
JM	442-001078-US (COB)	7-19-00	"	10-19-00
CAC	300-008205-US(PAR)	7-19-00	"	10-19-00
MJT	731-009114-US(TD)	7-18-00	"	10-18-00
MJS	300-007641-US(PAR)	7-18-00	"	10-18-00
CAC	225-008593-US(PAR)	7-18-00	"	10-18-00
PW	611-008316-US (PAR)	7-18-00	"	10-18-00
CAC	460-008376-US (PAR)	7-18-00	"	10-18-00
AWH	300-007198-US (DOD)	7-18-00	Issue Fee	10-18-00
DA	442-0083410-US (PAR)	7-19-00	Issue Fee/Dues	10-19-00
DmJ	300-001206-US(DOD)	(7-18)	7-14- Issue Fee	10-14-00
TJD	442-007205-US(PAR)	7-18-00	Issue Fee/Dues	10-18-00

DATE: Mon. July 24, 00

DAILY MAIL LOG

ATTY.	P&G DOCKET NUMBER	DATE MAILED	ACTION DUE	DATE ACTION DUE
CAG	297-009423-US (PAR)	7-19-00	Missing Part	9-7-00
JES	309-004149-US (CON)	7-20-00	Tissue Fee Due	10-20-00
DA	460-007885-US (PAR)	7-20-00	"	10-20-00
CAG	502-009095-US (PAR)	7-19-00	US-3 mon	10-19-00
CAG	502-008800-US (PAR)	7-19-00	"	10-19-00
MEH	390-006444-US (PAR)	7-17-00	Rest. Rec.	8-17-00
DMW	297-007436-US (PAR)	7-19-00	US-3 mon	10-19-00
DmJ	442-007855-US (PAR)	7-20-00	Advisory Action	7-31-00 DD
MEH	680-009395-US (PAR)	7-20-00	"	11-12-00
MEH	200-008115-US (PAR)	7-20-00	US-3 mon	10-20-00
MEH	002-008878-US (PAR)	7-20-00	"	10-20-00
MEH	070-007991-US (PAR)	7-19-00	"	10-19-00
DMJ	460-007461-US (PAR)	7-19-00	"	10-19-00
CAG	200-008310-US (PAR)	7-20-00	"	10-20-00

DATE: 7-27-00

## DAILY MAIL LOG

DATE: Monday, July 31

## DAILY MAIL LOG

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